DAC 1.28c
Docket No. IMPJ-0058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Christopher J. Diorio et al.
SERIAL NO.: 10/660,829
FILING DATE: September 11, 2003
TITLE: Secure Two-Way RFID Communications
EXAMINER: Violet McCoy
GROUP ART UNIT: Unassigned

2004 AUG 20 PM 2:39

AUG 26 2004

OFFICE OF PET

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Date: 7/30/04

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Diane Morse

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08/25/2004 DALLEN 00000041 10660829

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395.00 OP

WITHDRAWAL OF CLAIM TO SMALL ENTITY STATUS**Small Entity Was Established in Good Faith**

Applicants hereby submit that the small entity status in this case was established in good faith, and fees as a small entity were paid in good faith.

Applicants hereby withdraw the claim in the present application to Small Entity status ab initio.

Itemization of Deficiency Payment pursuant to 37 CFR 1.28(c)**1. Basic Statutory Filing Fee**

Basic Statutory Filing Fee (large entity)-fee code 1001 \$770.00

Basic Statutory Filing Fee (small entity)-fee code 2001
paid 9/10/2003 \$375.00

Deficiency Amount Owed \$395.00

RECEIVED
AUG 20 2004
OIP/ JCWS

Total Deficiency Amount Owed

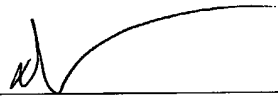
\$395.00

AUG 20 PM 2:39

A check in the amount of total deficiency of **\$395.00** is herewith submitted. Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST, LLP

Dated: July 29, 2004



David B. Ritchie
Reg. No. 31,562

Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
Telephone: (408) 292-5800
Fax: (408) 287-8040



PATENT MAINTENANCE DIVISION

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/660,829	
	Filing Date	September 11, 2003 2004 AUG 20	
	First Named Inventor	CHRISTOPHER J. DIORIO et al.	
	Art Unit	Unassigned	
	Examiner Name	Violet McCoy	
Total Number of Pages in This Submission	4	Attorney Docket Number	IMPJ-0058 2004 AUG 20 2004

PM 2:39

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): WITHDRAWAL OF CLAIM TO SMALL ENTITY STATUS; RETURN POSTCARD
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	DAVID B. RITCHIE, Reg. No. 31,562 Thelen Reid and Priest LLP	
Signature		
Date	JULY 29, 2004	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Diane Morse		
Signature		Date	July 26, 2004

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ENT MAIL DIVISION

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 395

Complete if Known

Application Number 10/660,829
Filing Date September 11, 2003
First Named Inventor Christopher J. Diorio et al.
Examiner Name Violet McCoy
Art Unit Unassigned
Attorney Docket No. IMPJ-0058

2004 AUG 20 PM 2

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																																																																																																																	
<input type="checkbox"/> Deposit Account: Deposit Account Number 50-1698 Deposit Account Name Thelen Reid & Priest LLP		<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Fee Code</td><td>Fee Code</td><td></td><td></td></tr><tr><td>1051</td><td>2051</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>2052</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>1053</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>1812</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>1804</td><td>1804</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1805</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>2251</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>2252</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>2253</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>2254</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2255</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>2401</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>2402</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>2403</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1451</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>2452</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>2453</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>2501</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>2502</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>2503</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>1460</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>1807</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr><tr><td>1806</td><td>1806</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>8021</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>2809</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>2810</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>2801</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>1802</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="2">Other fee (specify) Additional fees for large entity status; 1001. Please see attached</td><td></td><td>395</td></tr><tr><td colspan="2">*Reduced by Basic Filing Fee Paid</td><td>SUBTOTAL (3)</td><td>(\$) 395</td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code			1051	2051	Surcharge - late filing fee or oath		1052	2052	Surcharge - late provisional filing fee or cover sheet		1053	1053	Non-English specification		1812	1812	For filing a request for reexamination		1804	1804	Requesting publication of SIR prior to Examiner action		1805	1805	Requesting publication of SIR after Examiner action		1251	2251	Extension for reply within first month		1252	2252	Extension for reply within second month		1253	2253	Extension for reply within third month		1254	2254	Extension for reply within fourth month		1255	2255	Extension for reply within fifth month		1401	2401	Notice of Appeal		1402	2402	Filing a brief in support of an appeal		1403	2403	Request for oral hearing		1451	1451	Petition to institute a public use proceeding		1452	2452	Petition to revive - unavoidable		1453	2453	Petition to revive - unintentional		1501	2501	Utility issue fee (or reissue)		1502	2502	Design issue fee		1503	2503	Plant issue fee		1460	1460	Petitions to the Commissioner		1807	1807	Processing fee under 37 CFR 1.17 (q)		1806	1806	Submission of Information Disclosure Stmt		8021	8021	Recording each patent assignment per property (times number of properties)		1809	2809	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))		1801	2801	Request for Continued Examination (RCE)		1802	1802	Request for expedited examination of a design application		Other fee (specify) Additional fees for large entity status; 1001. Please see attached			395	*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$) 395
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1. BASIC FILING FEE	
Large Entity	Small Entity
Fee Code	Fee Code
1001	2001
1002	2002
1003	2003
1004	2004
1005	2005
SUBTOTAL (1) (\$) 0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	
Total Claims	Extra Claims
Independent Claims	Fee from below
Multiple Dependent	Fee Paid
SUBTOTAL (2) (\$) 0	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	DAVID B. RITCHIE	Registration No. (Attorney/Agent)	31,562
Signature		Telephone	408.292.5800
		Date	7-29-04

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